

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 856 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed
to see the judgements? YES

2. To be referred to the Reporter or not? YES

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3. Whether Their Lordships wish to see the fair copy
of the judgement? NO

4. Whether this case involves a substantial question
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder? NO

5. Whether it is to be circulated to the Civil
Judge ? NO

MG NAGAR

Versus

DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE

Mr.JC VYAS for Petitioner

Mr.DA Bhambania, learned APP for Respondent No. 1

UNSERVED for Respondent No. 2

CORAM : MR.JUSTICE S.K.KESHOTE

30/04/96

ORAL JUDGEMENT

Rule. Mr. DA Bhambania, learned APP waives
service of Rule on behalf of Respondents.

Looking to the nature of the case, this matter is
taken up for final hearing today.

Mr. D.A Bhambania, learned counsel for the
respondent made a statement before the Court that the

case of petitioner for deemed date of promotion from the date on which the person junior to him namely Shri S.A Vora has been given promotion has already been considered by the Departmental Promotion Committee. The Departmental Promotion Committee had adjudged the petitioner to be fit for promotion as Head Clerk from the deemed date i.e., 23th June, 1983. After recommendation of the DPC, the petitioner came to be given promotion as Head Clerk w.e.f 23-6-1983 under Office Order No. BADHT/A-2/38/HC/Deem Date/1613/96 dated 17-4-1996. Shri Bhambania further made a statement that the case of petitioner will be considered for further promotion on the post of O.S and his case is under process and will be placed before DPC within a reasonable time. The counsel for the petitioner does not dispute the statements which have been made by the learned counsel for the respondent. Only prayer is made that this Court may fix sometime for considering the case of the petitioner for the next promotion according to law. To this, the learned counsel for the respondent has no objection.

In the result, this writ petition is disposed of with the direction to the respondents to consider the case of the petitioner for further promotion to the post of Office Superintendent in accordance with law, within a period of three months from the date of service of certified copy of this Order. In case, petitioner is found eligible for promotion to the post of O.S., necessary further benefits may be given to him within two months thereafter. Rule is made absolute in the aforesaid terms. No costs.

Prakash*